



June 11, 2009

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Re: Reply Findings, CG Docket No. 03-123, WC Docket No. 05-196.

Dear Ms. Dortch:

On June 9, 2009, Snap Telecommunications, Inc. (d/b/a Snap!VRS), received a request from NECA on behalf of the Commission's Consumer & Governmental Affairs Bureau seeking information pertaining to "the percentage of calls currently placed using a ten-digit number issued pursuant to the 2008 numbering orders (as opposed to being placed by persons without such a number or using a proxy number)." The inquiry stated that the purpose for the data request was to assist the Commission in assessing the implementation status of the ten-digit numbering and E911 rules.

In response, data was extracted for incoming calls to Snap!VRS from Snap!VRS Ojo videophones. Prior to the implementation of a reverse lookup function for TRS providers, we are unable to accurately determine if calls placed to Snap!VRS from other videophones are registered with a ten-digit number.

For the seven-day period ending 6/8/2009:

- 06-02-2009 to 06-08-2009
- Incoming calls for Snap!VRS from an Ojo videophone
- Percentage of Ojo calls using TDN: 83.69%

For the day of 6/8/2009:

- 06-08-2009 00:00:00 to 06-08-2009 11:59:59
- Incoming calls for Snap!VRS from an Ojo videophone
- Percentage of Ojo calls using TDN: 84.36%

We caution the Commission that the above data may not provide an accurate portrayal of the degree to which customers are registered for ten-digit numbers. As previously mentioned, the data only covers incoming calls placed by customers using Snap!VRS Ojos and does not account for those calls made through any other video conferencing device or program. The data covers only those Ojo calls placed to Snap!VRS (presumably for the purpose of obtaining video relay services), and does not account for calls which are terminated before connecting with a call recipient. The data also does not cover point-to-point video phone calls.



More importantly, we are concerned that the above data may be misleading in that those individuals who use VRS more frequently would be more inclined to have registered in order to facilitate relay services (*e.g.*, to more easily receive incoming calls from hearing callers), and their higher use likely skews the VRS call percentage calculation requested by the Commission towards the registered category. In fact, the percentage of VRS customers who have received Ojos from Snap and have *not* yet registered for a ten-digit number is significant, despite Snap's extensive outreach efforts. We believe that our experience is replicated for other VRS providers who make video devices and programs available to their customers.

Therefore, we suggest that the Commission broaden its assessment to ensure that it has clear and comprehensive data on which it can rely in making critical policy decisions on the registration deadline. Specifically, rather than focusing solely on the percentage of recent VRS *calls* that are from users with ten-digit numbers, the Commission should seek information from all VRS providers regarding what percentage of the total number of *consumers* who have used their services (and who perhaps have received a videophone from the provider) have actually registered for a ten-digit number. This broader inquiry is consistent with the intent of the TDI *ex parte* letter that prompted this Commission inquiry,¹ and would also present a much more realistic picture of the situation -- namely, there is still a significant percentage of deaf and hard of hearing users of VRS -- numbering in the many thousands -- who have not yet registered for ten-digit numbers and who most likely will not do so by the June 30, 2009 deadline.

As requested, this letter is being filed in the above docket.

Sincerely,

/S/

Matt Krieger
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¹ See Ex Parte Letter filed in Dkt. No. CC Docket No. 03-123, WC Docket No. 05-196 by Telecommunications for the Deaf and Hard of Hearing, Inc. ("TDI"), June 8, 2009, at 4 ("If FCC investigation reveals that numerous *consumers* have not yet registered, then it is appropriate to take steps to ensure that those customers are not cut off by the transition.") (emphasis added) (*available at* http://gullfoss2.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6520219816); *see id.* at 4-5 ("If the FCC decides it is appropriate to extend the deadline (such as for an additional three or six months, and again with appropriate periodic review of user registrations) because it finds that the record demonstrates a significant number of *consumers* have not yet registered, and are therefore in jeopardy of losing VRS or IP Relay services on July 1, 2009, Consumer Groups will support the FCC's decision.") (emphasis added).



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